THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12571 of 2005

Dated: 06.06.2006

Between
S.Veerababu

…..Petitioner

and

The Revenue Divisional Officer, Madanapalli,
Chittoor District and another.

….Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12571 of 2005

ORDER:

This writ petition is filed challenging the notification dated 2.5.2005 vide Roc.No.A3/2528/2005 on the file of the Sub Collector, Madanapalle, wherein the applications were invited for appointment of fair price shop dealership of Gundlagutta village, Guramkonda Mandal from the eligible candidates of Scheduled Tribe community.

It is stated in the very same notification that the vacancy of the fair price dealership is caused due to the cancellation of fair price dealership and that earlier applications were invited to appoint a scheduled caste person on permanent basis as fair price dealer and two scheduled caste persons were interviewed and their applications were rejected for not having knowledge in Public Distribution System. Thus, it is clear that earlier on 11.2.2005, a notification was issued for the purpose of appointment of fair price dealer against the very same shop of Gundlagutta village, Guramkonda Mandal. But at that time, the vacancy was to be filled up only by scheduled caste candidate. In the present notification except stating that two persons were interviewed (Scheduled caste) and they are not having knowledge in Public Distribution System and their applications were rejected, nothing was stated.

It is the case of the petitioner that himself and another were interviewed and he was under the expectation that he would be selected. But surprisingly, the present notification was issued and the reasons for issuing the same are not proper and tenable under law.

The reasons furnished in the impugned notification seem to be not tenable. The knowledge in the Public Distribution System for the candidates was neither must as per the earlier

notification dated 11.2.2005 nor the present notification dated 2.5.2005.

Be that as it may, without going into the merits of the case, the 2nd respondent is directed to look into the matter afresh and take a fresh decision as to against which category the fair price dealership of Gundlagutta village in Guramkonda Mandal requires to be notified and thereafter, notify the vacancy for being filled up. This exercise shall be completed within a period of two months from the date of receipt of a copy of this order. However, the 2nd respondent-Joint Collector also shall take into consideration the representation purported to have been filed before the Collector treating the same as a representation of the petitioner. The 1st and 2nd notifications shall be treated to have been cancelled.

Accordingly, the writ petition is disposed of. No costs.

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06.06.2006

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